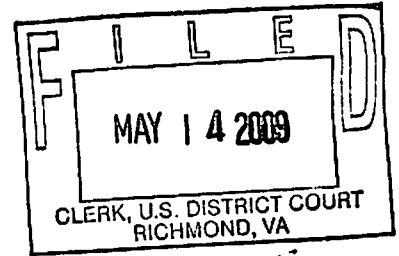


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



MICHAEL L. CRISTWELL, JR.,

Petitioner,

v.

CIVIL ACTION NO. 3:09CV088

PATRICIA R. STANSBERRY,

Respondent.

MEMORANDUM OPINION

Cristwell, a United States prisoner proceeding pro se, submitted this Section 2241 petition. On March 18, 2009, Cristwell was notified that his petition would be filed upon payment of a filing fee in the amount of \$5.00. The Court invited Cristwell at that time to explain any special circumstances that would justify excusing any portion of the required payment. The Court also warned Cristwell that failure to pay the assessed fee or to file an explanation within eleven (11) days would result in dismissal of the petition.

Cristwell failed to either pay the assessed fee or explain any special circumstances warranting excuse from payment. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk send a copy of this Memorandum Opinion to Cristwell.

\_\_\_\_\_/s/ *REP*\_\_\_\_\_  
Robert E. Payne  
Senior United States District Judge

Date: May 14, 2009  
Richmond, Virginia